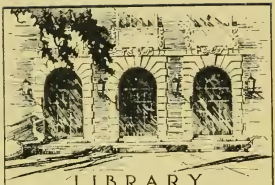

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THE CASE AGAINST

THE

BURIALS BILL,

BEING

A PAPER READ BEFORE THE RURAL DECANAL CHAPTER OF BOLTON-LE-MOORS, LANCASHIRE,

AND PUBLISHED AT THEIR REQUEST,

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ONE SHILLING.

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THE CASE AGAINST
THE BURIALS BILL.

When the Right Honourable Member for Birmingham was closing the debate last April on Mr. Osborne Morgan's Burials Bill, he exclaimed—"Somebody will get up and say, Yes! but in Scotland they don't care about these things, because their ground is not—what do they call it, [Hear and a laugh], consecrated." A writer in *The Times* of April 22nd, describes this profane remark as an "irrepressible and untimely sneer;" but, whether irrepressible or studied, it affords an excellent starting point for argument on the whole case, and against the Bill. It told the truth with unintended candour, namely, that Dissenters do not value the Parish Churchyard for its own sake; they have no feelings towards it of sanctity or religious veneration; they know, they feel, they acknowledge, no reason why it should be reserved for services strictly religious; they recognize no hallowed earth or building, connected with it. Indeed, by their most solemnly boasted principles, if consistently acted on, they are bound to object to that Churchyard because it has been consecrated by episcopal service; and, as matter of history, they really have so objected to our Churchyards, and their use of them, by the institution of public Cemeteries, which commenced with them some fifty years gone by. So that all their sentimental grievance—if on this subject they had any sentiment—would crumble away if viewed only on this side. They regard the Churchyard, at best, only as any other common piece of ground; and put in their claim to it only as a piece of public, national property. Their attack on our Churchyards, through this so-called "Burials Bill," is characteristically dishonest.

We shall see, in the course of this paper, that Dissenters

as a body do not object to our funeral service, nor to our personal ministrations. But, if they really did, their complaint truthfully stated, according to their most boasted religious principles, would be this :—" There are in certain places no other sites for sepulture but Parish Churchyards ; and, therefore, we are compelled, against our religious convictions, to bury our dead in them, with the services of the Church. We complain of this compulsion as oppressive and wrong, for we object to association either in life or death with the Church of England, her services, and surroundings ; and therefore, we demand that other places of sepulture, left unconsecrated, be somehow or other provided for us ; even though it be at national expense." In fact, by clamouring for burial with their own religious services, in our consecrated grounds, they are guilty of public self-contradiction of a very discreditable kind.

It has been boldly asserted " that all the Burial Grounds that were in existence before the passing of the Church-rate Abolition Act were established at the cost of the parish, and therefore now are—as indeed they all are by law—the property of the parish." The number of Churchyards acquired since the abolition of Church Rates is comparatively few; but, as to the ancient Churchyards, is the fact so ? For if it be so, and sound as an argument for the Burials Bill, it will hold good, not only as against the Churchyards, but against the Churches; and the whole question of disestablishment is (so far) settled. They who have an equal and equitable right with ourselves to the use of the Churchyards have the same right to the Churches which stand on them : and we had better, if the case be so, acknowledge it at once like honest men. Churchyards were, originally, mere sites for Churches ; and, with the ground, goes the building : and, it is certain, that Churchyards acquired in modern times are held upon the same conditions, and to the same uses, precisely as their

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ancient predecessors. But, again I ask, is the fact as assumed? Were the Churchyards of England and Wales acquired, and have they been maintained, previously to the abolition of Church Rates, at the cost of the whole parish? Of course, nothing less than minute enquiry in each case could exactly answer this question, and therefore, no such assumption ought to have been made. But every one of ordinary information in Church matters knows enough of the Church's history to find reason for doubting the justice of the assumption. Churchyards have, in the vast majority of cases, been in olden times the mere complements of the Churches; have like the Churches themselves, been the voluntary benefactions of pious members of the Church of England; and there is no reason to doubt but that the same has been the case with numerous Churchyards acquired in more recent times: while, as to others of which actual purchase has been made, the money has usually been raised from Church people by the personal energy of the Clergymen.

But even as to Churchyards, whether many or few, paid for out of rates contributed by Churchmen and Dissenters alike, they provide no ground for argument in favour of this Bill. For, let it be carefully noted, the land so purchased by all was conveyed for the use of all—only upon certain conditions. And Dissenters have no reason to find fault if, by their own deliberate choice, they refuse to comply with those conditions. Churchyards, whether obtained by purchase or by benefaction, are plots of ground dedicated to Divine uses, and handed over to the parson and the parishioners, upon certain terms and conditions, which all who claim a right to those Churchyards are bound to fulfil; and which if they cease to fulfil, as Dissenters have ceased to fulfil, they cease also to have any rightful claim as against such Churchyards.

Is there, then, any grievance which should be remedied in the interests of Dissenters in any such way as this Burials

Bill proposes? Now here it is much to be lamented that not only mistaken Churchmen who support the Bill, but also some of our own leaders, pledged friends of the Church, who oppose it, have with almost indecent haste admitted a grievance where, in fact, none exists;—none, that is, but what Dissenters have made, or invented, for themselves; and of which, therefore, they have no right to complain. Indeed, much to the credit of some Dissenters, they are giving up the "grievance" cry. *The English Independent*, for the present month, says that it is not "the grievance of Dissenters" but "the rights of the nation that are in dispute:"—and, again, "We have no grievance if the Churchyards do not belong to the nation." Thus Dissenters themselves now admit that they are not contending for the removal of a grievance, but to obtain joint possession with ourselves of the Church's property. Yet not only the Right Honorable W. E. Gladstone, Mr. Shaw-Lefevre, and such reputed Churchmen, have asserted the existence of a grievance of which Dissenters have a right to complain: but even the Right Honorable R. A. Cross, the Home Secretary, and the Solicitor General Sir J. Holker, and other pledged friends of the Church have made the same mistake. Mr. Cross' words were—"I have always admitted there was a grievance, and I would be glad to remove it if I could do so without creating practically a greater one." Sir John Holker's language, though more cautious, was to the same effect;—"No doubt, if it were a grievance and one of sufficient magnitude to call for legislation, it ought to be remedied, always provided that it could be remedied without creating in its turn a grievance of equal or greater magnitude." Had this language been concerted, it could scarcely have corresponded more closely. At any rate, these distinguished gentlemen express as nearly as need be the same opinion; and, we can hardly doubt, have spoken the sentiments of the present government. It is the language of infirmity; the

first token of yielding ground; and that means, too often, defeat and submission. It is time for the Church of England in all her dioceses, and deaneries, to arouse herself under her proper officers, and strenuously oppose any such arrangement as Mr. Osborne Morgan's Bill contemplates.

The natural consequence of this unsound admission of a grievance, and of this line of advocacy against Mr. Morgan's Bill is that, during the present recess, an impression has got abroad that a real grievance does exist as to the burial of Dissenters; and that the Church would act wisely and gracefully to volunteer some means of remedying it. In short, the signal has been given for compromise: which, if acceded to, will certainly prove fatal. Our injudicious friends would compromise us off the face of the earth: and so improve the Church of England, according to their judgments, that by-and-bye there will be none of her left. There is a peculiar weakness in the English character: our fear of taking unfair advantage of the weak; of availing ourselves too freely of superior strength; our tendency to gush out with generosity; to give more than we take; our dread of not yielding fair play enough; is oft times so strong that it is apt to become morbid. And, depend upon it, if our leaders once contrive to convince themselves that Dissenters have a real grievance touching burials, they will soon rush forward to remove that grievance with a liberal hand—but to our great cost, damage, and confusion: unless the Church of England steps forward in unbroken union to prevent this. This "Burials Bill" resisted by us, as by one man, may be made a grand occasion for lasting good.

The debate on the 21st of April last consisted greatly of appeals to the feelings, and attacked John Bull exactly on his weak side just referred to; and this was done best by the Right Honourable Member for Birmingham. Support was claimed for the Bill by appeals to kindness and heart, natural

good feeling, the propriety that all feelings of discord should cease at the grave, sympathy for sorrowing survivors, &c.; but scarcely a word of argument from sound religious and ecclesiastical principles. No! Not even from the Right Honourable W. E. Gladstone! from whom there are still, perhaps, some people living sanguine enough to expect better things. Now, no audience can more deeply appreciate arguments of gentle love and peace than such an audience as that I now address. But, gentlemen, we have no right through excess of tender feelings to bargain away, or compromise, or fall from, public religious principles and duty; especially when, by doing so, we are sacrificing not ourselves individually, but the welfare, the integrity, indeed the purity and faithfulness, of that Apostolic branch of the Church of Christ, which He, who counted us faithful, has entrusted to our keeping.

The strongest attempt at argument for Mr. Morgan's Bill was his own assertion (repeated by others) that every Englishman has a civil right to be buried in his Parish Churchyard, of which no one has power to deprive him. Mr. Morgan's words may put this argument before us once for all—"only the other day he heard his Bill described as a Bill to confer on Nonconformists the right of interment in Parish Churchyards. But the Bill would confer no new right of burial. Because Nonconformists already possessed to the fullest possible extent the right of interment in the Parish Churchyards. The right was a civil right insomuch that though by a kind of legal fiction the freehold of the Churchyard was vested in the clergyman of the parish, he could no more prevent a parishioner from being interred there than he could prevent, under certain circumstances, a parishioner from obtaining parish relief. Indeed so well was that understood that the strongest arguments against the Bill had assumed the proposition."

This *exparte* assertion of the civil right of burial was truth, but not the whole truth. Every man has a right to be buried in his Parish Churchyard—but only upon conditions. The right never existed without the conditions. And no man has, or ever had, a right to be buried in his Parish Churchyard unless those conditions be complied with. This civil right dates from time immemorial; even long before Dissenters of the present sorts, in whose interests the Bill is proposed, had found an existence to be regretted. And the right has no necessary, nor essential, connection with the position they think proper to take up. The conditions, upon which alone that civil right of burial could be claimed were compliance, at burials, with the discipline, rites, and ceremonies of the Parish Church, served by her proper minister. If a man refused to comply with these he had no more right of burial in his Parish Churchyard than the excommunicate, unbaptised, or *felo de se;* who, it is admitted on all sides, have none. Yet it would be false to say he was deprived of his right by the Church or her officers;—true, to say he deprived himself. When certain people refuse to accept the ministrations of the Church of England they do, by their own act and deed, forego their civil right of burial in the Parish Churchyards. Every man conforming to the Church has that right; every man refusing to conform, gives it up: that is, he is not deprived by others; but deprives himself, and has no right to complain. I deny, therefore, that Dissenters have any grievance of which they are justified in complaining. Both legs of their grievance are broken, and cut away: *First*, they refuse (as before explained) to comply with those conditions upon which alone the Parish Churchyards were obtained, given, or purchased: *Second*, though the Church, for which the ground was obtained, stands by to serve them, they insult her and refuse to be assisted.

This argument against the Bill is recognised, but much

too faintly, by our friends who opposed it. Thus the Solicitor-General—"The Churchyard was legally vested in the Incumbent, and he held it as a portion of the property belonging to the Established Church, and no parishioner had a right to be buried without the observance of the laws and regulations of that Church." So, too, Mr. Forsyth:—"There could be no doubt of the right of every parishioner to be buried in the Parish Churchyard, subject to having read over his remains the Burial Service of the Church of England." Also the Right Hon. R. A. Cross, alluding to the first introduction of the Bill:—"It was pointed out that, by the canon law, every parishioner had an absolute right to be interred in the Churchyard of the Parish according, of course, to the ceremonies and rites of the Church of England;" and again, "The Nonconformists claimed as a right to be interred in the Parish Churchyard by their own minister, and according to their own form of Burial Service. That was a right which did not belong to a member of the Church of England." So that, as said before, the civil right of burial in the Churchyard is not absolute, but conditional; and the real purpose of the proposed Bill is to remove those conditions; to create for Dissenters a right which no Churchman would expect conceded to himself. Mr. Morgan's Bill is branded with positive injustice. The Dissenters first put themselves in the unhappy attitude of discordants; they then clamour that their baneful whims may be petted, and the very laws of the Church be altered to indulge them. If to do so would not be helping an offender to reap advantage from his own wrong-doing, what would?

Moreover, in the case of burials no humiliating conditions are imposed upon Dissenters; but only such as are honourable alike to us, and to themselves. Conditions, indeed, the maintenance of which by the Church affect her religious integrity, and her fidelity to the most solemn obligations of the

Christian faith: conditions, therefore, which she cannot, dare not, forego. Those conditions are simply the use of the Church's burial service put together in strict agreement with the Articles of the Christian faith; and in all cases, where possible, by her own Clergy. None but professing Christians can reasonably, nor legally, demand to be buried by a Christian minister in a Christian Churchyard. And, as bearing upon this part of the subject, and exposing the hollow insincerity of Dissenters' complaints, as well as the evil purpose which this Bill has really in view, it is important to remember that by their greatest authorities Dissenters have given in their adhesion, on all points of doctrine necessary to salvation, to the articles and formularies of the Church of England: and that, especially, as regards the Burial service none can exceed Dissenters in expressed admiration of it. This was abundantly admitted in the debate. Mr. Richards, the Honourable Member for Merthyr Tydvyl, a bitter enemy of the Church, may speak on this point for all:—He said, "Again, it was an entire misapprehension that Dissenters objected to the Burial service of the Church of England. Not one in a hundred of them would object to it for its own sake, or doubt that it was a beautiful and impressive service. There was scarcely a funeral celebrated by a Dissenting Minister in which a very large portion of that service was not used. By far the greater part of the service consisted of selections from Holy Scripture, made with admirable judgment and taste. What they did object to was portions of the service to which not only Nonconformists but many members of the Church of England objected:"—Yes! but they make one more objection, which enables us to detect the real purpose and spirit of the Bill. They object to hear the service read by the clergyman: not in his own mere ministerial character, for to that they dare not object; seeing that, if they have any *locus standi* at all, they get it through us: if we fall, they fall: but because

his position as parish priest is privileged, and excludes their own ministers. Mr. Morgan's "Burials Bill" is a "Dissenting Ministers' Bill:" its real source is Dissenting pride and ambition: and its great object is to impair the influence and prestige of the clergy, by artificially forcing up the social *status* and pretensions of those, who have taken upon themselves to be ministers of Christ without having received that ordination which Christ appointed. The secret fount and origin of this "Burials Bill" is envy of, and ill will to, the Church of England and her clergy. Yet it is rather odd to hear an earnest Dissenter like Mr. Richards objecting to the clergyman's declaring, when he buries a Dissenter, that the deceased had and has a "sure and certain hope of a resurrection to eternal life."

This is the proper place to put you on your guard against a subtle plea for the Bill, professed to be urged on our own behalves, viz., that we ourselves feel difficulty sometimes in using our holy burial service over some Dissenters and certain members of our own Church. Mr. Shaw-Lefevre (whose speceh in the debate was, perhaps, the bitterest and most hostile to us)—Mr. Shaw-Lefevre (who perceived, or said he did, that "in the interests of the Church herself it was desirable that the grievance should be remedied")—Mr. Shaw-Lefevre observed, "There was a growing feeling among the clergy themselves that it was a hardship to be called upon to perform the service over persons not in commumion with them." Well! no doubt it is a hardship, and we need relief in that and several other particulars. But not relief in the manner of this "Burials Bill;" nor by such friends as Mr. Shaw-Lefevre. '*Non tali auxilio*'—you know the rest. This is one respect in which we may see the mischief of not having properly attended to our own affairs, and set our house in order for ourselves. For years we have many of us been squabbling over trifles, and some of us have been doing worse; for years, now

many years, our proper leaders have been playing at convocation, and making dull speeches, without having originated, or brought to pass, any one single improvement of practical importance. Meanwhile the enemy, beckoned to by traitors within, thunders at the gate.

Would that the so-called "grievance," as already stated, was all that Dissenters complained of. But, alas! so motley are their kinds, and so wanting in Christian principle are some of them, that they also urge as a grievance that religious service of any kind should be required at the grave, in cases where deceased or his friends are known to have objected to any. Incredible as it ought to seem, this is nevertheless a fact, which forms for them another ground of complaint against the Church, another ground for demanding relief on behalf of Dissenters, as we shall presently more clearly see. They demand that Dissenters of all religions, or of none; the Atheist, the Mahommedan, the Deist, the Socinian, the Papist, the Socialist—they demand that all these people shall have conceded the right of burial in the Parish Churchyards of England with any religious service they please, or with none; and with whatever funeral orations, bands, processions, streamers, the godless and eccentric party of the deceased may choose. Do not suppose I am exaggerating; presently it shall be proved. And the fact affords a strong argument against the Bill. Meanwhile let Mr. Shaw-Lefevre speak:—"The right of parishioners to be interred in the Parish Churchyard was not an ecclesiastical right, but an indefeasible civil right. There was no exception to this rule, and it not only belonged to Nonconformists and Roman Catholics, equally with Churchmen, but a Mahommedan parishioner, if one could be found, would be entitled to be buried in the Churchyard of the Parish." No doubt he would; but subject to the rite and ceremony of the Church of England; and (which is of great importance) to

the power of the clergyman to refuse, in whole or in part, to read the service; and to take the consequences; or to place himself under the protection of his Ordinary. Once let this wise restriction be removed, and Dissenters of all kinds be permitted to use their own services by their own Ministers or agents, and the Churchyard is thrown open to every desecration, every form of false doctrine, even to blasphemy; and some false doctrine is blasphemy. It is impossible the Church can submit to this. The Mussulman is a Dissenter, so is the Papist; the Jew is a Dissenter, so is the Atheist. This country now holds within it all sorts of religionists from the Cardinal of Rome to the Parsee of India; and under Mr. Osborne Morgan's "Burials Bill" each of them would receive the right to bury in our Churchyards by their own agents, and according to the rites and ceremonies of their own religions. That is a concession, which the Church of England, if faithful to her Divine Master, dare not consent to; that is a concession which, in some cases, must lead eventually to the use of the Church also: and I for one should be curious to see worked out the bearings of this "Burials Bill" in relation to the Church of Rome, the pretensions she is advancing in this country, her deep anxiety for all her dead, and the services she holds in connection with their funerals. There used to be, and probably are still, in many country parishes of England, isolated Roman Catholic families, often of considerable local influence, far removed from places of worship of their own communion. Granted that Mr. Morgan's, or any similar,—yes! I repeat it with special significance,—any similar "Burials Bill" be passed, what would be the probable bearing of such a fact upon the efforts which the Church of Rome is now making to become dominant again amongst us? Could the scattered existence of such families be used as a lever for raising the power of Romanists, on the plea that they are Dissenters? Surely there is cause

for saying that the Dissenters of England know not what manner of spirit they are of. They may call for fire to consume us, if they please; indeed, they do: but it will never come from heaven. Some ideas kindred to those I have just suggested in relation to Roman Catholics may possibly have occurred to the Lord Bishop of Chester, when at his Diocesan Conference last October he referred to the funerals in our Churchyards, without any service at present, as the practice which "had long prevailed in the County of Lancaster, where there were many hereditary Romanists; and was very general throughout Ireland."

Here I shall interpolate another agument against the Bill which, like the last, points to a serious danger not noticed by our friends but demanding their earnest attention. I submit for consideration whether it be impossible that such a Bill, any such Bill, if passed may, or must, eventually cause the loss of the Parson's freehold in his benefice? It seems reasonable to expect that, the right of burial in our Churchyards in their own fashion, and by their own agents, having been conceded to Dissenters of all kinds, they will not brook much longer that absolute authority which the Parson has, at present, in his benefice. The essence of that authority in his freehold. They will get restive about headstones and inscriptions; nor will they submit to be liable to the Parson alone for damages inflicted by their friends upon the Churchyard, its graves, and other adornments. Here is another particular in which some of our friends will discover by and bye that "in the interests of the Church herself a remedy ought to be found." I confess for myself that, when I read the eloquent speech of the Right Honourable Member for Greenwich, that devoted churchman Mr. Gladstone, and noticed that he carefully abstained from arguing the Bill upon high principles; but, having pointedly attracted attention to the fact that—"as matters now stand, the clergyman is by

law invested with the freehold of the churchyard and is likewise the guardian of peace and order within its confines "—he then burst out into earnest anxiety about "delicate and fragile plants and flowers about the graves," and the Parson's liability to "the burden of damage of any kind;"—I confess I thought that every word this high principled Orator uttered suggested (no doubt undesignedly) one simple cure—"Take away his freehold." At any rate it seems to me a mere matter of course, a sort of practical syllogism;—1. Given, the Dissenters' right of Burial, as proposed by Mr. Morgan and his friends; 2. Necessitated, loss of the Parson's freehold; 3. *Ergo*, Disestablishment. If so, and I submit it will be so, that would be a most disastrous result. The Parson's loss of his freehold must revolutionize the Church: and the argument requires the closer attention, because there are some Churchmen weak enough to desire it.

Of course, it has been suggested that certain restrictions can be imposed at Burials as "safeguards against abuse;" but, in Mr. Morgan's words,—"Almost every safeguard that human integrity could suggest was introduced, but it was soon found that not one of those safeguards conciliated a single vote. On the contrary, every so-called safeguard served as a sort of peg upon which Honourable Members wanted to hang another safeguard;" and so Mr. Morgan took upon him "to strike out all those precautions and safeguards, and to bring the Bill back to the line of 1870." Such is the Bill with which we have to do. It contains no restrictions or safeguards whatever. But let me *emphasize* the fact that it is impossible to invent safeguards of the proper kind. You may have such as will prevent openly riotous and indecorous conduct; such as will prevent any breach of the peace. But yu cannot put restrictions upon men's political and religious opinions; nor, in England, padlock the utterance of them. Especially you could not prevent the covert, subtle, ill-

intentioned utterances of bilious and disappointed Dissenting Ministers against the Church of England. If Dissenters of all kinds be permitted to officiate in our Churchyards, those Churchyards may, and will, become arenas for the utterance of all kinds of heretical, seditious, and even blasphemous, opinions: of all kinds of false doctrine, unbelief, and heresy; especially of such as are most offensive to the Church and her clergy: and therefore, again, this "Burials Bill" must be opposed uncompromisingly, no matter what safeguards may be proposed. Separate places of burial must be found for Dissenters; who, years ago, showed their equally good taste, and good feeling, towards us by the invention of Cemeteries. And in future cases where the old Churchyards becomes full, the new ground provided for the parish must be a Cemetery with special reserve for Dissenters; and not a Churchyard in the good old sense of that term.

In course of the debate great stress was laid in favour of the Bill upon the cases of Ireland, Scotland, and Wales. As to Ireland and Scotland, that indiscriminate burials had long been permitted in their Churchyards; and as to Wales, that the present state of our Burial Law pressed with peculiar hardship upon Welshmen. Mr. Shaw-Lefevre observed:—"The Churchyards were the exclusive property of the Church of England, yet Ministers of all religions might perform any ceremony they thought fit at the funerals of their flocks. He had been assured by those best acquainted with the subject that the Irish Burials Act had worked well. It had been accepted as a measure of conciliation: and he would ask why a measure which had succeeded so well in Ireland should fail in England?" And the Right Honourable W. E. Forster was so good as to add:—"On the other side of the Channel, in Ireland, the same evil had formerly existed, but had been met. Fifty years ago the Irish grievance was dealt with by a Tory Government." Both these references to Ireland are too

unfortunately significant, and should arm us against the Bill. The Burials Act, and such measures of conciliation, have succeeded in Ireland; and, behold! the Irish Church is disestablished. We quite agree with Mr. Shaw-Lefevre that a "Burials Bill," to conciliate Dissenters, would succeed equally well in England! And the way for that Irish Act was prepared by a Tory Government. It is a Tory Government, may we not say a friendly Government! which has just sent round to our Churchwardens a paper of minute enquiries about Churchyards, Cemeteries, and Burials; with an evident view to the adjustment of the Burials difficulty in England. May it please God to guide them to conscientious and Christian conclusions, consistent with fidelity to the Church! And that result, we may rest assured, depends in great measure upon the Church herself: upon the action of all her dioceses, which ought to be astir on this question; and upon such Decanal Chapters as your own. Those of us who know somewhat of the Church of Ireland's history before her disestablishment, and who have watched her synodic action since, may perhaps be disposed to think that she has brought her fate upon herself. And if the Church of England be guilty of the same infirmities (as gentlemen like Mr. Shaw-Lefevre would advise) then the Church of England will deserve, and no doubt will receive, the same treatment.

As to Scotland, it is enough to observe that the Ecclesiastical principles of all Scotch communions, except the Episcopalion, are notoriously those which, in England, we identify with Dissent. They are indifferent to, or unbelieving in, Episcopal Orders and Apostolic Succession: they are not earnest upon the sanctity, and indispensable efficacy, of the Holy Sacraments: therefore, as Dissenters in England, so Scotch communions in their native land, can and do admit to their Conventicles and their Graveyards, professing Christians of various denominations to celebrate religious services in their

own way: but whether they can do so altogether without any sacrifice, or compromise, or abandonment, of pure Christian doctrine and consistency may be questioned. I, for one, have too great a respect for the professed doctrines of Scotch Presbyterians to believe that they can. Now, the diametrical contrast between the Scotch and English Churches in this matter should be carefully kept in sight. They think they can consistently receive fellow-Christians of all professions into their kirks and kirkyards; we know that, consistently, we cannot. For the very reverse of Scotland's case is that of the Church of England. Thank God! she does hold certain Apostolic and Episcopal traditions: she professes to be a genuine and integral division of the Church founded by the Apostles: she does insist upon the necessity and validity of Episcopal ordination; and the unbroken transmission of such orders from Apostolical times through Episcopal hands: she does maintain the indispensable and essential vitality of the Holy Sacraments: she holds a body of doctrine, clearly set forth, to be necessary to salvation: and by these, and similar considerations, which flow from them, she cannot, she dare not, compromise the Burials question; she cannot, she dare not, be indifferent to what Ministers, or ministrations, find admittance to her Churchyards or her Churches. Are our consciences not to be respected? Yet every body's conscience but ours? Are we to be defamed as bigoted, and intolerant, or wanting in Christian feeling, because we refuse social concessions, which the Catholic faith we have sworn we believe to be necessary to salvation, and vowed to preach, forbids us to allow?

But Mr. Morgan's strong hold, as a Welshman, is Wales. Let Welsh Dissent reply to him. I am told there are twelve counties in Wales, and the following letter from a Dissenting Minister, published in *The Wrexham Guardian*, last July, accounts for nine. Says the Writer:—"Our best thanks are

due to you for your painstaking and complete exposure of the fictitious nature of Mr. Osborne Morgan's grievance in the counties of Denbigh and Flint. One of Mr. Morgan's own party had, however, somewhat anticipated the result of your investigation. Mr. Henry Richard, the Radical M.P. for Merthyr, and a thorough enemy of the Church, has collected statistics of the graveyard accommodation belonging to Independent, Methodist, and Baptist Chapels in nine of the Welsh counties. Permit me to quote his figures, copying them from a Church-hating paper (the organ of a small Dissenting sect) which is not likely to have erred in favour of your side of the question.

	Chapels	Without Graveyards.
Anglesea	147	25
Carnarvonshire	240	35
Flintshire	113	13
Denbighshire	133	27
Merionethshire	173	47
Montgomeryshire	155	27
Cardiganshire	150	48
Carmarthanshire	255	149
Glamorganshire	332	162
	1698	533

Hence it appears that more than two Dissenting Chapels out of every three are already provided with Graveyards of their own, and this in Wales, the reputed stronghold of the grievance! There remains less than one-third of the Chapels, which Mr. Richards has not reported as so provided. It is highly probable that most of these have Cemeteries at their service, or have plots of ground adjacent, available for interments whenever any grievance is really felt. The question, therefore, naturally arises, where are the Chapels, and how many of them are there, which substantiate Mr. Morgan's

case? The answer is that the grievance exists only in the heated imagination of himself and his friends. Anyone who knows Wales must have noticed that many Chapels have gardens or yards adjoining, in which no interments have been made. These unused grounds afford abundant evidence that the Dissenters have not experienced hardship in the matter of burials; for, of course, if any hardship had been felt, they would have utilized the grounds which they have already at hand.

The entire grievance is as you have most justly called it a *sham*. The agitation has been got up for political purposes, by a party whose avowed aim is to rob you Churchmen, not only of your Churchyards, but of your Churches also. It is doubtful whether Mr. Morgan's triumph would permanently strengthen political Dissent. I am certain that his success must be disastrous to the interests of religious Dissent, and ought therefore to be deprecated by my fellow Dissenters. Covetousness and the prospect of plunder may serve to whip up the decaying cause of Nonconformity for a short time; but this is done at the cost of the religious spirit upon which Nonconformity depends for strength as a religious movement. Some Radical Nonconformists seem almost to have abjured the first principle of Christianity, which is that we should do as we would be done by. They are seeking to inflict upon the Church a wrong which they would bitterly resent if planned against themselves. But happily that wrong has not yet been perpetrated and legalised, and by the vigorous and faithful resistance of Churchmen, aided by such Dissenters as set right above party, it may be averted."

But now let us see more clearly what Dissenters really want. *The Pall Mall Gazette*, of July last, has the following:—

"*The Birmingham Post* says that the Central Nonconformist Committee decline to approve the compromise suggested on the Burials question; by which it was proposed to allow religious services to be conducted by recognised Nonconformist

Ministers, and by them alone. Such a proposal, the Committee consider, surrenders the principle of religious equality. They say, 'In the consideration of any proposals which may be submitted to them, our friends should distinctly bear in mind the great principle which they, and we, desire to see established, viz., the Legislative recognition of the National character of the parochial Churchyards. We are contending for the principle not as Nonconformists merely, but as citizens, and in any attempted settlement of the question we are bound to insist that the right of no person shall be injuriously affected by reason of his belonging, or not belonging, to any recognised religious community. The adherents of religious communities seek to secure the opportunity of performing their own religious service in the National Churchyards. It may be that others who, from honest conviction, are unable to enter any religious community whatever, may desire to express on the graves of departed friends their estimate of their lives and characters. We respectfully submit that this privilege ought not to be denied them, and that Nonconformists ought not to be parties to any compromise which does not concede it. It is one thing to submit to terms falling short of this when conceded by a reluctant Legislature; terms which we should regard as being an instalment of the complete justice for which we should still intend to strive: it is quite another to accept, or take part in proposing, them as a compromise, by which we are in honour bound to abide. We further submit that to accept a compromise which, while it conceded the rights of Nonconformists, would leave a brand of infirmity upon a considerable portion of our fellow-citizens, would be likely to place us in a false position before the nation, and to cast suspicion upon the motives by which we are actuated, and the objects we have in view in the struggle to establish perfect religious equality in the relations of Church and State."

Now this is above board and distinct: and the boldness of the language shows what mischief has been done to our Church's cause by the weak proposal of, and tendency to, compromise. The public organ of The Central Nonconformist Committee in Birmingham claims, as a national right, admission to our Churchyards for funerals, not only for all religious Nonconforming Communities of whatever kind, but also for all irreligious and nonconforming communities of whatever kind: and distinctly repudiates all compromise which falls short of this. So that the fussy and unaccredited clergymen presently to be referred to, who proposed the compromise, have not only humiliated us and damaged our cause, by putting us in the position of suppliants for compromise, but have, beyond anything that could be expected of them, done this good, viz., they have shown that all compromise is impossible—because the enemy refuses it. They have, without the least wish of the kind, unmasked the pernicious and ungodly designs of the political Dissenters, from whom alone this agitation for a "Burials Bill" proceeds. The demand is that Infidels and unbelievers of all sorts may hold what funeral obsequies they please in our Churchyards; and Mr. Morgan's appeal—"Let them oppose the Bill, if they liked, upon principle; but let nothing more of those exaggerated statements be heard about Atheists, Jumpers, Socialists, and so on"—is proved to be deceptive and falls to the ground. Rather let us reply in Mr. Forsyth's words—"They all knew that the parish Churchyards were consecrated by prayer and were hallowed ground,"—(that is it at which the Right Hon. member for Birmingham "shot out his arrow, even bitter words," his "irrepressible and untimely sneer" already alluded to)—"and, if Dissenters objected to the burial service of the Church of England, surely they ought to allow members of the Church of England to object to services which might violate the holiest doctrines of their religion."

I have referred to The Birmingham Central Nonconformist Committee on this particular part of our subject. It may be well to add that "The ultimate view of the Nonconformists had been clearly expressed in the resolutions which had been agreed to at the Nonconformist Conference held at Manchester in 1872; in which it was claimed that the Nonconformists had an equal right with Churchmen, not only in the Churchyards, but also in the parochial churches." And the same line of reasoning, and of action, applies to the churches as to their yards. All facilities for funeral rites in them, for all sorts of persons, believers or unbelievers, will be demanded. The ultimate object aimed at is the secularization of our churches. We cannot, we dare not, compromise nor yield on this "Burials Bill." If the Church of England be true to the Christian faith, she must stand firm on this question.

I proceed with a part of our subject at which I know not whether we shall kindle more with indignation or with shame. Last July a report got abroad that a compromise was about to be made on the Burials Bill; and those of us who took most interest in the subject, and knew most about Church matters, wondered what in the world could be meant: especially, we asked ourselves—who were authorised, and by whom, to make any compromise? Then it leaked out that certain clergymen and Nonconformist ministers, in London forsooth! upon whom the Burials question by no means pressed hardly, had put themselves forward to confer with a view to compromise; actuated, as they said, "by an earnest desire to ascertain whether by a full explanation and frank confession of mutual views and difficulties they could assist in promoting a better understanding on this vexed question." And at last, on August 2nd, a letter, signed by two of the conferring parties, a clergyman and a Dissenting minister, was published explaining the whole matter. Here are the proposed items of compromise:—

1. That the burial of a deceased person in a parochial

Churchyard may be made with or without a service, at the option of the relatives or friends of the deceased.

2A. That if the relatives or friends of the deceased elect to have any service performed in the parochial Churchyard, the said service shall be a religious service, and shall be such as is customarily used on the like occasions in the religious body to which the officiating minister or person belongs.

2B. That if the friends or relatives of the deceased elect to have any service performed in the parochial Churchyard, the said service shall be a Christian service, and consist only of prayers, hymns, or extracts from Holy Scripture.

3. That such funeral service may be conducted by a minister of any religious body or congregation which has any registered places or place of public worship, or by a representative appointed by him; or in cases where there is no stated ministry, by any person officially appointed for the purpose by the managers of the religious community to which the deceased or his friends may have belonged.

4. That every person guilty of any disorderly or indecent behaviour at any funeral, or wilfully obstructing a burial or any religious service thereat, shall be guilty of misdemeanour.

5. That full and precise regulations shall be enacted defining the notice of burial to be given to the parochial clergyman, the time of interment, the payment of fees, the registration of the burial in the parochial registers, such as those contained in the Bill which passed the House of Commons in 1873.

It will be observed that there are offered, in fact, only five heads of compromise; but that No. 2 is printed in two forms: the first stipulating that the said service should be a religious service, the second stipulating that the said service should be a Christian service. Upon the other four items of compromise they all agreed: but upon the second, and its alternative form, the Dissenting ministers positively refused to agree. In the words of the letter above referred to:—"The alterna-

tive form of No. 2 indicated the points over which they were unable to arrive at a similar conclusion. The clergymen present were convinced that, without the adoption of the second form of No. 2, no 'Burial Bill' could be framed that would be acceptable to the great body of Churchmen; while the Nonconformists in the Conference did not feel at liberty to accept it. The consequence is that both parties agreed, in the most friendly spirit, to relinquish the attempt:" Now, whatever we may think of this gratuitous attempt at compromise, it is important for us to notice that the Nonconformist ministers conferring distinctly refused, on behalf of Nonconforming bodies, to be limited to a Christian, mind—a Christian, service; and so, in their own fashion, expressed about the same feeling as the Birmingham Central Nonconformist Committee did in theirs. In short, it is clear as sunlight that the Nonconformists mean the secularization of our Churchyards: that is, at the funerals of their people, in the Parish Churchyards any sort of service, or none; religious, Christian, or otherwise; shall be performed by any body: and that the acquisition of our Churchyards, with this profane design, shall be an instalment of what they are pleased to call their right as citizens; only one step more towards possession of our Churches, with similar profane designs. Any Government that compromises the Burials question in this direction required by Dissenters, viz., so as to give them the right of burying their own dead in their own way in the parochial Churchyards of England, would be a Government treacherous to the Church; and would throw Dissenters the Church keys. Their doing so would be the first certain, direct, step forward to disestablishment and secularization. In fact, gentlemen, if we mean to be faithful to our Apostolical mission, our Gospel charge, our Divine Head and Master, Jesus, we had better be disestablished at once, than submit to any such violation of our principles and office. Let us earnestly hope

(and we have just cause to) that the Government of our country is at present in such hands that a kind and Christian settlement of the question will soon be effected; that the statistical information, for which the Home Secretary has recently applied, may prove a sound basis upon which an arrangement may be made gratifying to all Christian and conscientious Dissenters, without doing violence to the dearest principles of our Church, or incurring the least risk of compromising the clergy upon high and essential points of doctrine, in any such way as would endanger our fidelity as ministers of Christ.

Having given you, as I think, all through this paper, abundant reasons for concluding that the Church should consent to no "Burials Bill" of any kind which would permit Dissenters of all kinds to bury their dead in her Churchyards in their own way, I close by calling attention to the only mode of settling the question. Four modes have been proposed:—1. Mr. Osborne Morgan's, of which this paper has treated, and which cannot be accepted. 2. Mr. Talbot's, which provides "that in cases where a person has expressed his desire in writing to be buried without the rites of the Church, the service may be dispensed with, and that the deceased shall be entitled to a decent and solemn interment in the Churchyard of the parish, with the express condition that no other kind of service shall be performed:" to this we may be quite sure Dissenters will not submit. It would be unreasonable to expect that they should; though this is the arrangement of which Roman Catholics at present avail themselves. 3. That Dissenting funerals should be permitted in all cases where a license has been first obtained from the Incumbent and his Churchwardens. I confess that, in the present advanced condition of the quarrel, this amiable suggestion appears to me childish. 4. The plan proposed by The Lower House of Convocation, viz., "That an act should

be passed enabling parishes to provide themselves, at the cost of the rates, with burial grounds which shall be wholly unconsecrated." This last proposal seems to point in the right direction; though the way of stating it is not likely to promote its adoption. But, why touch the fretting sore of rates at all? and make up a hotbed of discord in every parish? Also, why trouble to use the words "wholly unconsecrated," unless to provoke Dissenting prejudices? Is there any fear of anything about Dissenters being consecrated too much? Are they likely to, or can they, consecrate at all? Depend upon it, they will not ask a Bishop to assist them. However, if rates must be had recourse to, why not levy them as far as possible from each parish? and go to the imperial taxes, to which we all pay, and which are only rates in another form? Moreover, this question is as large as England, and we are all concerned to have it settled: and to raise the necessary funds from the imperial taxes must lighten the burden for the parishes demanding Cemeteries for Dissenters. Possibly the difficulty would be met in the best way by an Act of Parliament empowering the State to give, or lend, money from time to time for the purchase, or part purchase, of cemeteries for Dissenters: and it should be provided that in all future cases, as old parochial yards get filled, the additional ground obtained should be a Cemetery, and not a parish Churchyard in the good old sense of the word. Cases of this kind are already to be found; and that in the parish of Westhoughton, in our own deanery, is much to the purpose, as showing that when Dissenters have cemeteries they do not care to use them, nor their own ministers either. The Vicar of Westhoughton informs me that his Churchyard-cemetery was opened in May, 1858, and that one-eighth part of the ground was left "unconsecrated" for Dissenters, and that during the seven years which have since transpired there have been burials in the consecrated ground 1,962; but in the unconsecrated only 110.

Now, to leave Dissenters only one-eigth part of the ground in Westhoughton seems to be leaving them a small proportion indeed; but, whereas the whole number of funerals hitherto has been 2,072, of which one-eighth part would be exactly 259 due to Dissenters, the actual number buried in Dissenting ground has been only 110. No wonder that the Vicar of Westhoughton informs us, that he continually buries Dissenters, who prefer the Church's ground, the Church's service, and the Church's minister: and so it would be all through the kingdom if political agitators would leave pious Dissenters alone.

The charge for finding all the Dissenting Cemeteries, if any, required would not be great. Accurate information as to the number of parishes requiring Burial-grounds for Dissenters has yet to be obtained; and the questions lately forwarded from the Home Office will, no doubt, secure it. But, so far as statistical information is at hand, it seems likely that not more than one-third of all the parishes yet without Burial-grounds for Dissenters would require them. Mr. Morgan stated that there were but 531 public Cemeteries in England: and between 12,000 and 13,000 parishes in which the Parish Churchyard was the only place of burial. Even if this were an exact indication of the demand likely to occur, the whole charge would not be heavy. For, it by no means follows that a Burial-ground would be necessary for every parish where, at present, Dissenters have none: for Cemeterial purposes, two or more parishes, and even a whole union might be joined. But, Mr. Heygate remarked that—"To a circular asking for information on the subject, it was stated in reply that out of 6,209 parishes, which sent in returns, 1,627 had Chapel Burial-grounds, 421 had public Cemeteries, while in 2,140 no Dissenting Chapel whatever existed." It will be observed that Mr. Morgan gave the whole number of Cemeteries as 531: Mr. Heygate's return included 421. Let

us leave all Cemeteries out of the calculation. Then it follows that Mr. Heygate's circular replies for 5,788 parishes, of which 3,767, *i.e.*, nearly two-thirds are already accounted for as to Burials. Now Mr. Morgan roundly takes all the parishes without Dissenting Burial-grounds at 12,000 or 13,000 : let us accept the mean, and take them as 12,500. Then, raising Mr. Heygate's figures to even tens for the sake of calculation, *i.e.*, taking the parishes replied for at 5,790 instead of 5,788 ; and the parishes not requiring new Dissenting Burial-grounds at 3,770 instead of 3,767 ; it will be found that, assuming Mr. Heygate's return to be a fair average for all England, the whole number of parishes already provided for in one way or another is 8,139, and a small decimal : and that, therefore, taking 12,500 as the gross number of parishes, at present, according to Mr. Morgan, with no Burial-ground but the Churchyard, it follows that only 12,500 *minus* 8,139, or 4,361, are likely to ask for them : or to advance any claim for Government assistance. There, then, is the sum and substance of the difficulty, as nearly as can be known at present. Wanted, 4,361 little bits of ground ; which, probably, Dissenters would not use if given them to-morrow. Left alone they prefer, as at Westhoughton, the Churchyard. It is curious to notice that the return I read you some time ago, from nine counties of Wales, brings out about the same result, viz., that two-thirds of all the parishes in England and Wales are satisfactorily provided for.

Gentlemen, I conclude, thanking you most respectfully for the indulgence you have shown me. Be assured, this Burials difficulty, like the so-called "religious difficulty" in our parochial schools, is a sham difficulty conjured into existence for a political purpose. It has no real, honest, conscientious existence ; and the more the affectation of it is grappled with, the more certainly it will vanish away. What

the Church of England now requires is not compromise, but courage; and our bishops and lay leaders need to study not the counsels of expediency, but the doctrines of consistent and unflinching religious principle. But, even if the difficulty were real, it is one which must every year grow less and less as Churchyards are closed, and Cemeteries provided: one which, so far as it would still remain, a very little upright effort on the part of Dissenters would soon remove. They can build Chapels when they want them, why not find Burial-grounds—they have no wish nor need for them, except at the cost and sacrifice of the Church of England.

Upon the whole, gentlemen, we may infer that the Burials question is the most important now demanding the attention of the Church. It is fraught with the most momentous consequences, unless better protection is in store for us than we have yet been assured of: protection, however, which we may hope for; and may God secure! The Church in all her dioceses ought to be now astir under her proper leaders: and petitions to the House of Commons on the subject should be sent from every Rural Deanery in the Kingdom: and our members, of both great parties in the House, should be given to understand that not Mr. Morgan's, nor any similar, "Burials Bill" will ever receive the acquiescence of the Church of England.

FINIS.

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